

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI**

R. CHRISTOPHER WEST

Plaintiff,

-vs-

Case No. C-1-01-824

PAUL REVERE LIFE INSURANCE CO.,

Defendants.

JUDGMENT IN A CIVIL CASE

Jury Verdict.

This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

X

Decision by Court.

This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

The Report and Recommendation is Adopted. Plaintiff's Motion to Reverse Administrative Decision is Denied and judgment is entered in favor of defendant. This case is Dismissed and Terminated on the docket of this Court..

Date: March 31, 2004

JAMES BONINI., CLERK

**By: s/ Darlene Maury
Darlene Maury, Deputy Clerk**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

R. CHRISTOPHER WEST,

Plaintiff

v.

C-1-01-824

PAUL REVERE LIFE INSURANCE CO.,

Defendant

ORDER

This matter is before the Court upon the Report and Recommendation of the United States Magistrate Judge (doc. no. 21), plaintiff's objections (doc. no. 23) and defendant's response (doc. no. 24). The Magistrate Judge concluded that defendant did not act arbitrarily and capriciously in denying plaintiff's claim for disability benefits and therefore recommended that plaintiff's Motion to Reverse Administrative Decision be denied and that judgment be entered in favor of defendant.

Plaintiff objects to the Judge's Report and Recommendation on the grounds that his findings are contrary to law and not supported by the administrative record.

Upon a *de novo* review of the record, especially in light of plaintiff's objections, the Court finds that plaintiff's objections have either been adequately addressed and properly disposed of by the Judge or present no particularized arguments that warrant specific responses by this Court. The Court finds that the Magistrate Judge has accurately set forth the controlling principles of law and properly applied them to the particular facts of this case and agrees with the Judge.

Accordingly, the Court hereby **ADOPTS AND INCORPORATES HEREIN BY REFERENCE** the Report and Recommendation of the United States Magistrate Judge (doc. no. 21). Plaintiff's Motion to Reverse Administrative Decision (doc. no. 12) is **DENIED** and judgment is entered in favor of defendant.

This case is **DISMISSED AND TERMINATED** on the docket of this Court.

IT IS SO ORDERED.

s/Herman J. Weber
Herman J. Weber, Senior Judge
United States District Court

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